IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO. 1312 OF 2005

Bhagvatiappan Balasubramanian ..Petitioner.

Versus

Bharati Vidyapeeth College & Ors. ..Respondents.

Mr.Sandesh More with Ms. Kavitha Kanan for the Petitioner.
Mr. R. M. Sawant, G. P. for Respondents 2 to 4.

CORAM: DALVEER BHANDARI, C.J. &
S.J. VAZIFDAR, J.

DATE : JUNE 20TH, 2005

P.C.

1. The Petitioner has secured admission in Bharati Vidyapeeth College of Engineering, Navi Mumbai from the reserved category for the academic year 2004-05. The Petitioner has lodged his Caste Certificate for verification before Respondent No.3 Caste Scrutiny Committee, Konkan Bhavan, Navi Mumbai.

2. The Petitioner's father works in Tamil Nadu. The Caste

Certificate of the Petitioner's father has been issued by the Government of Tamil Nadu. Respondent No.3 asked the Petitioner to produce the documents including the document which indicates that that the father of the Petitioner has been residing in Mumbai ever before 1960.

3. The Petitioner had applied for returning the original certificate on the ground that he did not require Caste Validity Certificate. Consequently, the documents were returned to the Petitioner. Now, the Petitioner has again prayed that the directions be given to the Caste Scrutiny Committee, Respondent No.3 to accept fresh application for verifying the caste of the Petitioner expeditiously In reply to the show cause notice, Secretary, Caste Scrutiny Committee, Konkan Bhavan has filed affidavit in which it is mentioned that in case the Petitioner files a fresh application for the grant of Caste Validity Certificate, the same shall be scrutinised and decided by the Committee in accordance with law.

4. In the facts and circumstances, we direct the Committee to decide the fresh application of the Petitioner within a period of three months from the date of receipt of the fresh application by the

Committee. The Petitioner to apply to the Committee within two weeks from today.

5. We direct that the Petitioner's admission be restored until the matter is decided by the Caste Scrutiny Committee. The fate of the admission is dependent on the final verdict of the Committee.

6. No further directions are necessary. This Petition is accordingly disposed of.

CHIEF JUSTICE

S.J. VAZIFDAR, J.